# LEGAL ANALYSIS OF GENDER-BASED VIOLENCE INDUCED BY CLIMATE CHANGE: A STUDY OF SOUTH ASIA THROUGH AN ECO-FEMINIST LENS

**SHORT SYNOPSIS**

*Submitted in partial fulfillment of the requirement of the degree of*

**DOCTOR OF PHILOSOPHY**

*by*

**Tanni Ganguly**

MRULWDN012K230039

Under the supervision of

**Dr. Aaratrika Pandey**

Assistant Professor, Manav Rachna University, Faridabad

and

Under the co-supervision of

**Dr. Kanu Priya**

Associate Professor, Gurugram University, Gurugram

**MANAV RACHNA UNIVERSITY**

Sector-43, Aravali Hills, Faridabad

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Sector-43, Aravali Hills, Faridabad

Date: 9.06.2025

## DECLARATION BY THE SCHOLAR

I hereby declare that the short synopsis entitled "Legal Analysis of Gender-based Violence Induced by Climate Change: A Study of South Asia through An Eco-Feminist Lens" being submitted in partial fulfillment of the requirement for the degree of Doctor of Philosophy in the Department of Law under the School of Law of Manav Rachna University, Faridabad during the academic year 2024-2025.

It is the work that is expected to be carried out under the supervision of Dr. Aaratrika Pandey, Assistant Professor, School of Law, Manav Rachna University, Faridabad and under the co-supervision of Dr. Kanu Priya, Associate Professor, Gurugram University, Gurugram.

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Tanni Ganguly.

Tanni Ganguly

Registration no. - MRULWDN012K230039

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## CERTIFICATE BY SUPERVISORS

This is to certify that, the short synopsis entitled "Legal Analysis of Gender-based Violence Induced by Climate Change: A Study of South Asia through An Eco-Feminist Lens" is an original piece of work done by research scholar Ms. Tanni Ganguly, under the supervision of Dr. Aaratrika Pandey, Assistant Professor, School of Law, Manav Rachna University, Faridabad and under the co-supervision of Dr. Kanu Priya, Associate Professor, Gurugram University, Gurugram for the degree of Doctor of Philosophy in the Department of Law under the School of Law, Manav Rachna University, Faridabad during the academic year 2024-2025.

Further, it is certified that the short synopsis is within the plagiarism limit and a copy of the same is attached as per the University norms.

Aaratrika
9/June/2025

Signature of the Supervisor
Dr. Aaratrika Pandey
Assistant Professor, MRU

9/6/2025

Signature of the Co-Supervisor
Dr. Kanu Priya
Associate Professor, Gurugram University

## ABSTRACT

Gender based violence emphasising on Climate hazards is an increasingly evolving matter that requires immediate intervention, particularly in South Asia. This research study looks at the legal perspectives on addressing GBV in South Asia's climate catastrophe through an eco-feminist paradigm. The Anthropocene Working Group's identification of the 'human effect' on the Earth has proven the onset of climate change, which impacts entire populations, with women and girls paying the most. In South Asia, a developing region, the correlation between natural disasters and a higher susceptibility of gentlewomen to “Sexual and Gender Based Violence” (SGBV) is a source of immense concern. The linkages between agriculture, food security, climate change, and GBV are also common, with climate shocks frequently having a detrimental influence on food security and contributing to increased GBV. The paper emphasizes the absence of international legal tools that particularly address SGBV against women, SGBV exacerbated by climate change, and during natural disasters. Existing international legal practices on refugee law, environmental law, humanitarian law, and human rights law, do not effectively address the impact of violence against women while addressing the implications of climate change. The study promotes an Eco-feminist approach, emphasizing the need of gendered climate change research in ensuring equitable and effective response. Specific recommendations include enacting policies that acknowledge the connection between gender based violens and change in climate, determining dedicated courts or tribunals to handle climate-related sexual assault cases, providing comprehensive support services to women and girls affected by climate-related GBV, and promoting gender-sensitive education and awareness campaigns. South Asian countries can improve their legal systems to efficiently prevent and respond to climate-induced GBV through embracing an Eco-feminist approach and implementing these guidelines, all while encouraging environmental justice and gender equality.



**Keywords:** Climate change, Gender violence, Eco-feminism, Sustainable development, Gender justice, South Asia

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## 1. INTRODUCTION

Gender violence violence emphasizing on climate hazards is an increasingly evolving matter. Despite not being a new topic, women and climate change needs a better understanding of gender-related challenges and problems especially in the South Asian region.[1] The anthropogenic impact leading to major adjustments to the earth on May 21, 2019 was recognized by "Anthropocene Working group", confirming the period of climate change.[2] Climate change affects entire communities, but women are the mass sufferers, as they rely largely on natural resources because of their customary responsibilities.[3] In South Asia, which is a home to developing nations, this is advancing into a matter demanding urgent attention.[4] Numerous studies have shown that in South Asia natural calamities have increased women's vulnerability to "Sexual and Gender Based Violence" (SGBV) due to which women are experiencing mental trauma and at the same time lack of protection. In India, increase in annual mean temperature by 1° C led to 8% rise in physical violence and 7.3% sexual violence on women by their intimate partner.[5] Following the 2011 floods in Pakistan, in a 2012 Protection Rapid Assessment communities surveyed stated that some women and girls were subjected to incidents of Gender violence which includes exacerbated domestic violence, early marriages, exchange marriages and forced marriage.[6] Women go up to 10 kilometers on foot every day in Bangladesh's water-scarce areas only to find water for their family, increasing the risk of sexual and physical assault, harassment, incidents, and threats of rape for women and girls.[7]

A comprehensive examination of major areas of international law reveals that no international legal document is dealing with SGBV against women pre and post climate change disasters. This is especially concerning given the accumulating evidence that climate change contributes to the worsening of Sexual and Gender Based Violence against

[1] Desai, B. H., & Mandal, M. (2021). Role of climate change in exacerbating sexual and gender-based violence against women: A new challenge for international law. *Environmental Policy and Law, 51*, 137.
[2] Desai, B. H., & Bharat, H. (2019). How India fares in fighting pollution. *Environmental Policy and Law, 44*, 13.
[3] UN Women. (2014). *Climate change, disasters and gender-based violence in the Pacific* (p. 4). United Nations Entity for Gender Equality and the Empowerment of Women.
[4] ibid
[5] Zhu, Y., et al. (2023). Association of ambient temperature with the prevalence of intimate partner violence among partnered women in low- and middle-income South Asian countries. *JAMA Psychiatry, 80*, 952.
[6] Irish Consortium on Gender Based Violence. (2022). *Gender based violence and its intersection with climate change*.
[7] ibid

gentlewomen. The statutes related to climate change which includes UNFCCC 1992, Kyoto Protocol 1997, and Paris Agreement 2015 refrain from addressing Sexual and Gender Based Violence. In recent years, the Conference of the Parties has prioritized this issue.[8] However, none of the South Asian nations have passed any legislation on the issue of gender based violence induced by climate change.

Furthermore, recent Eco-feminist discourses emphasize the importance of tackling the interconnectedness of gender violence and climate change, stressing the associated exploitation of the environment and women under patriarchal power structures.[9] Ecofeminism contends that the exact oppressive mechanisms that cause women's exploitation and degradation also contribute to ecological adversity. This viewpoint primarily emphasizes the significance of approaches involving gender sensitivity in order to solve environmental and climate change obstacles. The research attempts to foster awareness among legal players in South Asia on the repercussions on sexual and gender based violence due to climate change, specifically emphasizing on the importance of strengthened legal frameworks with the vision of protecting women in the region.

Women's protests against environmental degradation, nuclear risks, and advances in biotechnology, genetic engineering, and reproductive technologies revealed connections between these topics. Patriarchal oppression and brutality against women, non-whites, and the environment. Women's freedom is closely related to the survival of nature and life on our planet. Eco-feminist movements worldwide, including the "Green Belt Movement" held in Kenya, the "Anti-Militarist Movement" held in Europe and the US, the "Movement against Hazardous Dumping" held in the US, and the "Chipko Movement" held in India, aims to preserve life on Earth. These movements aim to exhibit "resistance politics" which bear insufficient power, specifically emphasizing the relationship of nature and women.[10] The researcher aims to illuminate how class, gender and ethnicity determines the dominance of an individual over nature. The movements including feminist, ecology and peace of the early 1980s and late 1970s have given rise to Ecofeminism in the West. The word "Ecofeminism" was created by a french writer named "Francoise D'Eaubonne" in

[8] Brody, A., Demetriades, J., & Esplen, E. (2008). *Gender and climate change: Mapping the linkages* (BRIDGE Development-Gender). Institute of Development Studies, UK.

[9] Women and Life on Earth (WLOE). (1979–1982). *Women and Life on Earth*.

[10] Quinby, L. (1990). Ecofeminism and the politics of resistance. In I. Diamond & G. Orenstein (Eds.), *Reweaving the world: The emergence of ecofeminism* (pp. xx–xx). Random House.

the year 1974. Ynestra King expanded the movement in 1976 and organised the world's first conference on ecofeminism in the year 1980 at Amherst, US, titled as "Women and Life on Earth: Ecofeminism in the 80s".[11]

Ecofeminism is a social movement, a political study and a value system which addresses the relationship between androcentrism and environmental degradation. "Awareness" begins with recognising the connection between natural exploitation and Western attitudes towards women and tribal cultures.[12] In 1987, a philosopher, Karen Warren, emphasized on the approach of marginalized groups, such as Chipko women. Datar (2011) proposes a worldwide perspective on how male dominance contributed to the exploitation of women and nature.[13] Eco-feminist perspectives emphasize the importance of context in understanding sexist and naturist practices. Ecofeminists believe that the dominance of women over nature is primarily ideological. To address this issue, it's necessary to rethink patriarchal values and structures. Promoting equality, non-violence, and non-hierarchical organizations can lead to new social formations. Eco-feminists emphasize the interconnectedness of all life processes and the importance of respecting nature and all living things. Instead of attempting to control nature, humans should strive to collaborate and transcend power dynamics.[14] Integrating the dualism of male and female polarization into one's perception of reality. Liberal ecofeminists argue that environmental issues stem from over-exploitation of natural resources and inadequate regulation of pesticides and pollutants. Sustainable social production can address this issue. This requires improved laws, improved science and improved conservation. Equivalent opportunities of education enable women to pursue careers in the fields such as science, conservation, and law, just like men. But if we just train women in order to make them lawyers or scientist in the environmental department wouldn't do any major help in addressing the expanded issue of environmental degradation as such ecofeminists fell short of addressing and challenging the development process entirely, which is considered as the foundation of the damage

[11] Spretnak, C. (1990). Ecofeminism: Our roots and flowering. In I. Diamond & G. Orenstein (Eds.), *Reweaving the world: The emergence of ecofeminism* (pp. xx–xx). Random House.
[12] Birkeland, J. (1993). Ecofeminism: Linking theory and practice. In G. Gaard (Ed.), *Ecofeminism: Women, animals, and nature* (pp. xx–xx). Temple University Press.
[13] Salleh, A. K. (1984). Deeper than deep ecology: The ecofeminist connection. *Environmental Ethics, 3*, 339–345.
[14] ibid

done to the environment.

Furthermore, recent Eco-feminist discourses emphasize the importance of tackling the interconnectedness of gender violence and climate change which stresses on the relationship between environment and exploitation of women under patriarchal power structures.[15] Ecofeminism contends that the exact oppressive mechanisms that cause women's exploitation and degradation also contribute to ecological adversity.[16] This viewpoint primarily emphasized the importance of a gender-sensitive approach to solving climate change and environmental obstacles.[17] This study attempts to foster awareness among legal players in South Asia on the influence of climate change in climate sexual and gender based violence, emphasizing on the importance of strengthened legal frameworks in order to protect women in the region.

## 2. DESCRIPTION OF BROAD AREA

The broader area of my short synopsis titled "Legal Analysis of Gender-based Violence Induced by Climate Change: A Study of South Asia through An Eco-Feminist Lens", is "Environmental Law and Gender Justice". This interdisciplinary topic investigates how environmental degradation and climate change urgently exacerbate gender-based vulnerabilities, particularly for women in South Asia. It evaluates the pressing need which deals with the efficacy of legal frameworks in addressing these overlapping challenges. Environmental law, a key player in social justice, is increasingly acknowledged for its direct influence on gender equality. As climate-related disasters often exacerbate existing inequalities and heighten the risk of GBV, the role of Environmental Law becomes even more crucial. Human Rights Law provides the normative foundation for protecting individuals from such harm, with international and regional instruments compelling states to endorse the dignity and rights of women, particularly during a critical period. This underscores the importance of the audience's role in upholding these rights and promoting gender equality. Using Gender Justice principles, this study examines whether present legal and policy regimes adequately recognize and respond to the compounded dangers faced by

[15] Women and Life on Earth (WLOE). (1979–1982). *Women and Life on Earth*.
[16] Brody, A., Demetriades, J., & Esplen, E. (2008). *Gender and climate change: Mapping the linkages* (BRIDGE Development-Gender). Institute of Development Studies, UK.
[17] Women and Life on Earth (WLOE). (1979–1982). *Women and Life on Earth*.

women in climate-affected situations. The report, written from an Eco-feminist perspective, finds gaps in existing regulations and recommends gender-sensitive and environmentally equitable revisions. This approach not only identifies the challenges but also emphasizes the potential for positive change through the critical need for holistic, intersectional, and context-specific legislative measures to address climate change-induced GBV while promoting gender equality and environmental justice in South Asia.

## 3. STATEMENT OF THE PROBLEM

According to Global Climate Index 2021, three out of top ten countries most affected by climate change are situated in South Asia- Pakistan, Bangladesh and Nepal.[18] The potential of under-privileged women in order to cope with the changes in climate with respect to disasters in South Asian countries is hampered by limited access to decision making procedures and policies, resources and law. This circumstance increases their vulnerability to SGBV, which derives from existing gender inequity in South Asian developing nations.[19] Despite this, there are no special legislative mechanisms in place to directly address the issues of SGBV against women caused by disasters due to climate change in countries like South Asia. In default of adequate independent methods to address gender violence against women with respect to change in climate, abusers are not held accountable, further undermining women's safety, privacy, and security.[20] As a result, suitable legal frameworks are required on national and regional levels to address the existing disparities and the additional burden put on women and girls by climate change in South Asia.

## 4. LITERATURE REVIEW

*Gender, Environment, and Climate Change: An Eco-feminist Perspective*

Eco-feminism focuses on the correlation between the environment and gender, linking

[18] Akhtar, R. (2019). Introduction: Extreme weather events and human health: A global perspective. In *Extreme Weather Events and Human Health* (pp. xx–xx).
[19] United Nations. (2012). *Sustainable development in the 21st century (SD21): Review of implementation of Agenda 21 and the Rio Principles* (p. 48). Study prepared by the Stakeholder Forum for a Sustainable Future.
[20] UNHCR. (2021). *UNHCR's strategic directions 2017–2021*.

women's oppression to the exploitation of nature. Eco-feminists argue that gender roles and inequality contribute to the excessive repercussion of climate change in climate on women.[21] Female decision-makers excel at negotiating and are more inclined to support international environmental treaties.[22] Eco-feminism advocates for a gendered study of climate change to ensure equitable and effective action. To understand more accurately, the impact of change in climate on marginalized populations, an Eco- feminist lens should be applied.[23] Climate change disproportionately affects women in South Asia because of existing socioeconomic disparities. Patel et al. argue that climate change exacerbates women's vulnerabilities, which adversely affect their health, livelihoods, and general welfare. They emphasize the significance of approaches which are gender-sensitive in terms of adaptation to climate and mitigation initiatives.[24] Sultana addresses how gendered power dynamics shape people's experiences and responses to climate change, with women frequently having greater adoption obstacles due to patriarchal norms and limited access to resources.[25]

*Climatic changes, Safety of Foodstuffs, and Gender Violence*

The connections between agriculture, climate change, gender violence, and food security, are prevalent.[26] Researchers of the paper did a scoping assessment using system dynamics modeling and discovered that climate shocks frequently negatively influence food security, which is associated with increases in GBV.[27] They argue that developing and implementing evidence-based, targeted treatments and strategies in order to mitigate the impact of climatic changes and improve safety of foodstuffs may eventually lower impact and prevalence of gender violence.[28]

*Climate-induced displacement and sexual and gender-based violence*

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[21] Gaard, G. (2015). Ecofeminism and climate change. *Women's Studies International Forum, 49*, 20–33.
[22] ibid
[23] Johnson, O. (2022). A woman's place is in the resistance: An ecofeminist response to climate change.
[24] Patel, S. K., et al. (2020). Climate change and women in South Asia: A review and future policy implications. *World Journal of Science, Technology, and Sustainable Development, 17*(2), 145.
[25] Sultana, F. (2014). Gendering climate change: Geographical insights. *Professional Geographer, 66*(3), 372.
[26] Agrawal, P., et al. (2023). The interrelationship between food security, climate change, and gender-based violence: A scoping review with system dynamics modeling. *PLOS Global Public Health, 3*.
[27] Hindin, M. J. (2006). Women's input into household decisions and their nutritional status in three resource-constrained settings. *Public Health Nutrition, 9*(4), 485.
[28] ibid

Climate-induced displacement raises the imperil of sexual and gender-based violence, exceptionally in areas bearing insufficient protection measures. Prakash et al. contend that environmental institutions and climate adaptation measures frequently lack gender sensitivity, leaving women vulnerable during migration scenarios.[29] Hans et al. assess the socioeconomic pressures placed on women in South Asia as a repercussion of change in climate, including higher workloads along with exposure to violence. They promote integrated policies that tackle the interplay of change in climate and gender.[30]

*Global Warming Fuel Gender-Based Violence*

The positive relationship between greater ambient temperatures and the occurrence of various types of gender-based violence, notably GBV, in South Asia can be linked to increased anger, impatience, and aggression, which are amplified by high temperatures.[31] Studies predict significant increases in GBV prevalence under various climate change scenarios, with each 1°C rise in temperature resulting in a mean increase in GBV prevalence.[32] These findings highlight the essential purpose of change in climate in aggravating the burden of gender violence, especially centering gentle women in a specific region.[33]

*Post-Disaster Gender-Based Violence*

Violence against women in post-disaster scenarios has substantial and adverse effects for their sexual and reproductive well-being. Women, who are already the most abused and oppressed group, are further victimized by physical and mental assault in their homes and relief-settlement sites.[34] The absence of close ones, poverty being a reason and most specifically job loss, all cause extreme emotional stress, which leads to frustration and the onset of domestic violence.[35] Gender-based violence is on the rise in post-disaster

[29] Prakash, A., Ley, D., & Thamari, M. (2024). How gender-sensitive are environmental institutions, climate adaptation, and mitigation actions? A narrative from the Global South. *Annual Review of Environment and Resources, 49*, 449.
[30] Hans, A., et al. (2021). *Engendering climate change: Lessons from South Asia*. Routledge.
[31] Memon, F. S. (2020). Climate change and violence against women: Study of a flood-affected population in the rural area of Sindh. *Pakistan Journal of Women's Studies, 27*(1), 65.
[32] Bartlett, S. (2008). Climate change and urban children: Impacts and implications for adaptation in low- and middle-income countries. *Environment and Urbanization, 20*(2), 501.
[33] Ibid
[34] Shukla J, "Extreme weather events and mental health: Tackling the psychosocial challenge" (2013) ISRN Public Health 1
[35] ibid

scenarios, and women are exceptionally endangered to violence emphasizing sexual exploitation and gender. Natural catastrophes frequently worsen existing gender inequality, resulting in a surge in SGBV. Bradley et al. state that in Nepal, post-disaster times show an increase in domestic violence as a result of increased stress and damaged societal systems. They emphasize the importance of including considerations for violence against women throughout the disaster response process, from rescue to restoration.[36]

Similarly, Siddiqui describes how the 2022 floods in Pakistan exacerbated existing gender imbalances, making women more vulnerable to domestic abuse and exploitation. Post-disaster settings frequently interrupt access to sexual and reproductive health care.[37] Nasreen et al. discovered that women in Bangladesh encountered considerable difficulty in controlling menstruation and getting maternity health services during and after floods.[38] The paucity of these facilities worsens women's vulnerabilities in disaster-affected communities.

*Women's Isolation from Environmental Governance*

Despite the crucial role in resource management, women are often unjustly excluded from local, national, and international environmental decision making. This exclusion, rooted in patriarchal traditions that prioritize male dominance over land and natural resources, is a clear injustice. Agarwal's research supports this, showing that empowering women through land rights and governance involvement leads to more sustainable framing methods and environmental effects.[39] The absence of female voices in the policy making results in gender-blind climate polices that overlook women's unique needs and perspectives. However the potential benefits of involving women in environmental governance are significant. Eco-feminists argue that this not just a matter of justice , but also a key to effective and equitable climate action, offering hope for a more sustainable future.[40]

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[36] Bradley, T., et al. (2023). Gender and disaster: The impact of natural disasters on violence against women in Nepal. *Journal of Asian and African Studies*.
[37] Siddiqui, R. (2024). The heat of violence: Climate change and gender-based abuse. *Modern Diplomacy*.
[38] Oxford Research Encyclopaedia. (2020). Disasters, climate change, and violence against women and girls.
[39] Akhtar, R. (2019). Introduction: Extreme weather events and human health: A global perspective. In *Extreme Weather Events and Human Health* (pp. xx–xx)
[40] Agarwal, B. (2010). Gender and green governance: The political economy of women's presence within and beyond community forestry. *Oxford Development Studies, 38*(4), 285.

The following are internationally established regulations regarding the repercussion on women due to climate change:

1. The committee on the Elimination of Discrimination against Women (CEDAW) bearing general recommendation number 37: includes a language focusing on reducing gender-related disasters induced by climate change occurrences.[41]
2. The "United Nations Framework Convention on Climate Change" (UNFCCC) highlights the significance of considering the economic and social consequences of climate change, particularly for women and vulnerable populations.[42]
3. Resolution of the United Nations Environment Assembly (UNEA) on gender equality, the accreditation of women in environmental governance and the rights of humans.[43]
4. "Human Rights Council Resolution 7/23" (2008) tackles both climate change and human rights.[44] Although the above mentioned resolution did not expressly address any gender- related dimension or violence against women, it recognized that the prospects linked with climate change will disproportionately affect the already vulnerable.[45]
5. The UNEP and its partners launched the "Global Gender and Environment Outlook" in 2016 with the aim to incorporate gender problems into environmental evaluations and decisions. It focuses primarily on the interrelationships between the environment and the "Sustainable Development Goals" (SDGs) with the intention of gaining a better knowledge in terms of varied effects of environmental oscillations and worsening situations, such as climate change on women.[46]

## 5. RESEARCH GAP

Despite the growing international comprehension of the confluence linking climate change and gender, significant research and legal gaps remain, notably in South Asia. CEDAW,

[41] United Nations. (1979). *Convention on the elimination of all forms of discrimination against women*.
[42] UNFCCC. (2007). *Conference of the Parties 13th Session (Bali)*. UNFCCC.
[43] UNDP. (2020). Why climate change fuels violence against women. UNDP.
[44] UNEP. (2020). Covid-19 is disrupting a food industry already thrown into turmoil by climate change. UNEP.
[45] Fried, S. T. (2003). Violence against women. *Health and Human Rights, 6*(2), 88.
[46] ibid

while a cornerstone of international women's rights, lacks clear measures addressing gender-based violence caused by climatic disasters. Similarly, major climate accords including and involving the Paris Agreement, UNFCCC, and Kyoto Protocol have historically ignored the major topic of circumscribing gender-based violence in the context of climate change. However, successive Conferences of the Parties (COPs) have begun recognizing its importance. This lack of focus is replicated at the regional level since no South Asian country has passed laws to address climate-induced gender violence. Although the UNFCCC acknowledges that due to climate impacts, women are excessively affected, which shows a significant research gap regarding the prevalence, nature, and drivers of gender-based violence linked to climate events in South Asia, and no legal frameworks in the region directly address these challenges.

## 6. RESEARCH OBJECTIVES

- To Explore the intersectionality between gender-based violence post calamity persuaded by change in climate in South Asia.
- To understand the role of the international legal framework in addressing climate-exacerbated gender violence, identifying strengths and limitations.
- To explore the gaps in South Asian national and regional legal frameworks concerning protection against climate-induced SGBV.
- To Apply eco-feminist insights to enhance the legal policy addressing the intersection of gender violence and change in climate in South Asia.

## 7. RESEARCH QUESTIONS

The research questions for the research are:

- Whether climate change induced gender-based violence in South Asia?
- Whether the International legal framework is sensitive enough and provides adequate legal measures for addressing gender violence exacerbated by climate change?
- Whether National legal frameworks provide adequate protection for addressing gender violence exacerbated by climate change in South Asia?

- How can an Eco-feminist approach enhance the understanding of SGBV induced by Climate Change in South Asia for policy making?

## 8. HYPOTHESIS

The hypothesis for the research is:

- Climate change amplifies inequalities in South Asia, increasing women's risk to SGBV post disasters

## 9. RESEARCH METHODOLOGY

The research adopts a doctrinal legal methodology, evaluating laws, legal frameworks, and policies concerning climate change and gender-based violence (GBV) in South Asia. To build the legal framework that will govern climate-induced GBV, constitutional laws, environmental statutes, gender-specific legislation, policy papers, and relevant case law must be thoroughly examined. The exploratory research design aims to explore the underlying legal connection linking gender violence and climate change. The design of this study is exploratory, with the aim of analyzing the understudied legal connection that exists linking gender violence and climate change. The study's primary sources include UN and NGO papers, academic literature, and publications on climate justice. , which provides a solid foundation. The approach combines qualitative legal analysis with comparative legal review, supplemented by case studies and expert interviews with legal experts and NGO practitioners. The analytical approach is based on a comparative analysis of international and national legal systems, utilizing primary instruments such as CEDAW, the UNFCCC, the Sendai Framework, SAARC declarations, and applicable national legislation. This framework identifies gaps, overlaps, and best practices in the legal responses to climate-induced GBV. It includes doctrinal analysis with empirical insights from case studies and expert perspectives to offer a nuanced assessment of the legal challenges and opportunities in addressing climate-induced GBV in South Asia, subsequently informing policy recommendations based on theory and practice.

## 10. TENTATIVE CHAPTERIZATION

**Chapter 1.** Introduction

**Chapter 2.** International Legal Frameworks on Climate-Induced SGBV

**Chapter 3.** Intersection between SGBV and climate change in South Asia

**Chapter 4.** National Legal frameworks to Climate Induced in South Asia

**Chapter 5.** Eco-feminist Analysis and Case Studies on Climate-Induced GBV in South Asia

**Chapter 6.** Conclusion and Suggestions

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Researcher: TANNI GANGULY

Registration Number: MRULWDN012K230039

Supervisor: DR. AARATRIKA PANDEY

Department: SCHOOL OF LAW

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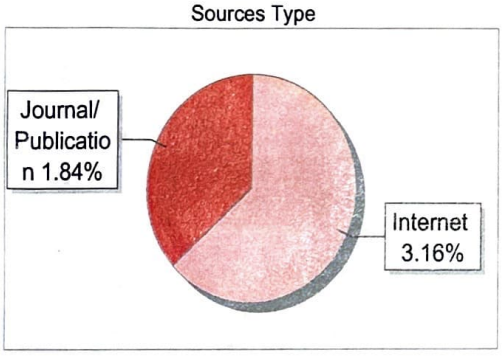


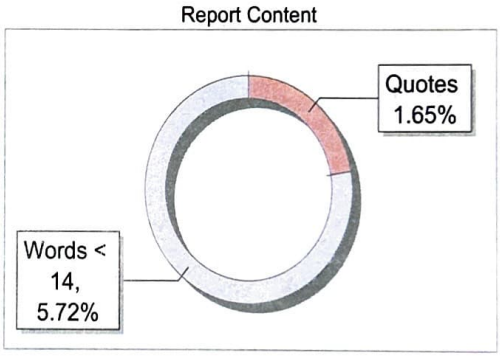


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# LEGAL ANALYSIS OF GENDER-BASED VIOLENCE INDUCED BY CLIMATE CHANGE: A STUDY OF SOUTH ASIA THROUGH AN ECO-FEMINIST LENS

**SHORT SYNOPSIS**

*by*

**Tanni Ganguly**

MRULWDN012K230039

Under the supervision of

**Dr. Aaratrika Pandey**

Assistant Professor, Manav Rachna University, Faridabad

and

Under the co-supervision of

**Dr. Kanu Priya**

Associate Professor, Gurugram University, Gurugram

**Year** *2025*

**ABSTRACT**

Gender based violence emphasising on Climate hazards is an increasingly evolving matter that requires immediate intervention, particularly in South Asia. This research study looks at the legal perspectives on addressing GBV in South Asia's climate catastrophe through an eco-feminist paradigm. The Anthropocene Working Group's identification of the 'human effect' on the Earth has proven the onset of climate change, which impacts entire populations, with women and girls paying the most. In South Asia, a developing region, the correlation between natural disasters and a higher susceptibility of gentlewomen to "Sexual and Gender Based Violence" (SGBV) is a source of immense concern. The linkages between agriculture, food security, climate change, and GBV are also common, with climate shocks frequently having a detrimental influence on food security and contributing to increased GBV. The paper emphasizes the absence of international legal tools that particularly address SGBV against women, SGBV exacerbated by climate change, and during natural disasters. Existing international legal practices on refugee law, environmental law, humanitarian law, and human rights law, do not effectively address the impact of violence against women while addressing the implications of climate change. The study promotes an Eco-feminist approach, emphasizing the need of gendered climate change research in ensuring equitable and effective response. Specific recommendations include enacting policies that acknowledge the connection between gender based violens and change in climate, determining dedicated courts or tribunals to handle climate-related sexual assault cases, providing comprehensive support services to women and girls affected by climate-related GBV, and promoting gender-sensitive education and awareness campaigns. South Asian countries can improve their legal systems to efficiently prevent and respond to climate-induced GBV through embracing an Eco-feminist approach and implementing these guidelines, all while encouraging environmental justice and gender equality.

**Keywords:** Climate change, Gender violence, Eco-feminism, Sustainable development, Gender justice, South Asia

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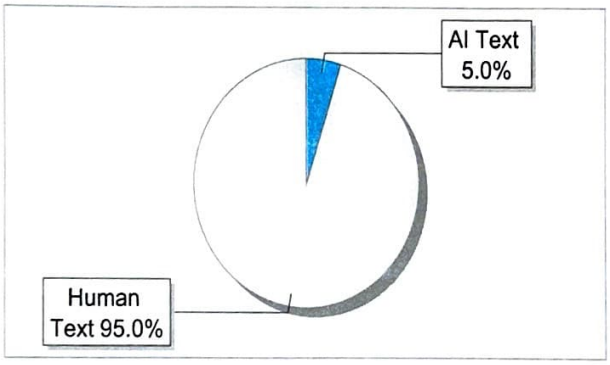


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